

**MINUTES OF THE COMMON COUNCIL
IN SPECIAL SESSION
June 18, 2013**

A special session of the Winchester Common Council was held on Tuesday, June 18, 2013 in the Council Chambers, Rouss City Hall. President John Willingham called the meeting to order at 6:00p.m.

PRESENT: Councilor Jeff Buettner, Evan Clark, John Tagnesi and Ben Weber; Vice-President Milt McInturff; Mayor Elizabeth Minor; Vice-Mayor Les Veach; President John Willingham (8)
ABSENT: Councilor John Hill (1)

PUBLIC HEARINGS

Public Hearing: Appoint Minh Le as a “Ward 3” member of the Winchester School Board to serve a four year term expiring June 30, 2017.

No citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 6:00 p.m.

AGENDA

Motion to remove item CU-13-211 regarding the conversion of ground floor nonresidential use at 24 Wolfe Street, Unit 6, and 26 Wolfe Street from the table. (Tabled at the June 11, 2013 meeting after the public hearing was closed)

Councilor Clark moved to remove CU-13-211 from the table. *The motion was seconded by Councilor Tagnesi then approved 8/0.*

CU-13-211: Conditional Use Permit – Request of KKE Properties LLC for a conditional use permit for conversion of ground floor nonresidential use to residential use at 24 Wolfe Street, Unit 6 and 26 Wolfe Street, Unit A (*Map Number 193-01-C-8*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

No citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 6:02 p.m.

Vice-President McInturff moved to approve CU-13-211. The motion was seconded by Councilor Weber.

Councilor Buettner moved to amend the motion to split the properties to vote on them separately. *The motion was seconded by Vice-Mayor Veach then approved 7/1 with Councilor Weber voting in the negative.*

Councilor Weber moved to approve 26 Wolfe Street, unit A, from non-residential use to residential use. The motion was seconded by Councilor Clark.

Vice-Mayor Veach stated he is in favor of leaving it commercial. That is what it was zoned originally. The City has just put a lot of money into downtown to attract commercial and residential but we want a balance. This is on the ground floor fronting a street so he is in favor of leaving it non-residential.

Councilor Weber stated he understands what his colleagues said and they are 100% right with regards to finding the right balance. However, knowing this property on a personal level having walked by it and parked by it all of the time, it has proved very difficult in finding the right thing. There have been hair stylists and antique shops and the rents have not been exorbitant. Part of it is it does not lend itself to looking like a retail facility to begin with. There is not many ways to make that small hole where unit A is located stand out to make it a good retail. Personally, he would never rent anything there to open because he has seen many businesses fail there. That is why he is supporting the conversion to residential but he wanted to stress that there needs to be a balance. Council did this on Cork Avenue. Council took prime real estate for the welcome center that could be great retail and converted that. Council took potential retail space in the old bank on Piccadilly Street and converted that into residential. He was surprised at those but this one he does not think Council should worry about. As Council continues to look at these on a case by case basis, he thinks it is critical to continue having these discussions.

Councilor Clark stated if the demand was there for retail space, a business would approach the landlord to put the business there. He thinks the demand is not there at this time and Council needs to support the landlords and property owners and let them tell Council what the best use of the property is at this time. As downtown heats up, the demand will grow and the applications will come in for properties such as this. But, as it has been pointed out, several businesses have failed in this location because it is hard to carve out a niche in that spot so he is going to support the applicant's request.

President Willingham stated he thinks on the main places, there should be ground floor commercial and this is a very usable street with lots of street frontage. A lot of people buy properties knowing the ground floor has to be commercial. He will not be supporting this request because he does not think it is as suitable as residential as it is commercial.

The motion to convert 26 Wolfe Street, unit A, to residential use was defeated by the affirmative roll-call vote of a majority of all members of the Common Council, the ayes and nays being recorded as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Councilor Buettner	Nay
Councilor Clark	Aye
Councilor Hill	Absent
Vice-President McInturff	Nay
Mayor Minor	Nay
Councilor Tagnesi	Aye
Vice-Mayor Veach	Nay

Councilor Weber	Aye
President Willingham	Nay

Councilor Weber moved to approve 24 Wolfe Street, unit 6, to residential use. *The motion was seconded by Councilor Clark then adopted by the affirmative roll-call vote of a majority of all members of the Common Council, the ayes and nays being recorded as shown below:*

<u>MEMBER</u>	<u>VOTE</u>
Councilor Buettner	Aye
Councilor Clark	Aye
Councilor Hill	Absent
Vice-President McInturff	Aye
Mayor Minor	Aye
Councilor Tagnesi	Aye
Vice-Mayor Veach	Aye
Councilor Weber	Aye
President Willingham	Aye

ADJOURNMENT

Councilor Buettner moved to adjourn the meeting at 6:11 p.m. *The motion was seconded by Councilor Clark then approved 8/0.*

Kari J. Van Diest, CMC
Deputy Clerk of the Common Council